

Wetlands Bureau Decision Report

Decisions Taken
07/07/2008 to 07/13/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

**2006-02795 FIVE GATES REALTY LLC, MEREDITH TAMPOSI
TEMPLE Unnamed Wetland****Requested Action:**

Dredge and fill a total of 19,543 square feet including 809 linear feet of stream for access in the subdivision of 210.1 acres into 35 single family residential lots and 2 open space lots containing 110 acres. Mitigate for the proposed impacts through a conservation easement of 65.2 acres. Impacts are further described as follows: Impact A 2873 sq ft for the installation of a 12 ft wide x 5 ft high x 40 ft long bridge in an unnamed perennial stream and a 18-in x 40 ft CMP in an intermittent stream; Impact B is 3120 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 6 ft x 3 ft x 50 ft box culvert; Impact C 2270 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 5 ft x 2.75 ft concrete box; Impact D 800 sq ft in an intermittent stream for the installation of an 18-in x 50 ft HDPE; Impact E 7970 sq ft in an unnamed perennial stream and intermittent stream and palustrine forested wetland for the installation of a 6 ft x 3 ft x 50 ft concrete box and a 64-in x 43-in x 50 ft CMP arch culvert; Impact F 1100 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 5 ft x 2.75 ft concrete box; Impact G 650 sq ft in an intermittent stream for the installation of a 5 ft x 2.75 ft concrete box; Impact H fill 750 square feet to reconstruct the existing pond outlet.

APPROVE PERMIT:

Dredge and fill a total of 19,543 square feet including 809 linear feet of stream for access in the subdivision of 210.1 acres into 35 single family residential lots and 2 open space lots containing 110 acres. Mitigate for the proposed impacts through a conservation easement of 65.2 acres. Impacts are further described as follows: Impact A 2873 sq ft for the installation of a 12 ft wide x 5 ft high x 40 ft long bridge in an unnamed perennial stream and a 18-in x 40 ft CMP in an intermittent stream; Impact B is 3120 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 6 ft x 3 ft x 50 ft box culvert; Impact C 2270 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 5 ft x 2.75 ft concrete box; Impact D 800 sq ft in an intermittent stream for the installation of an 18-in x 50 ft HDPE; Impact E 7970 sq ft in an unnamed perennial stream and intermittent stream and palustrine forested wetland for the installation of a 6 ft x 3 ft x 50 ft concrete box and a 64-in x 43-in x 50 ft CMP arch culvert; Impact F 1100 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 5 ft x 2.75 ft concrete box; Impact G 650 sq ft in an intermittent stream for the installation of a 5 ft x 2.75 ft concrete box; Impact H fill 750 square feet to reconstruct the existing pond outlet.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering sheets 11 and 13 dated September 16, 2005, revised through June 4, 2008 as received by the Department on June 12, 2008, plan sheets 8, 12, and 15 dated September 16, 2005, revised through April 29, 2008 as received by the Department on April 29, 2008 and Subdivision Plans by Sanford Surveying and Engineering dated September 16, 2005, and revised through June 4, 2008, as received by the Department on June 12, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

10. Work within perennial streams shall be done during low flow.
11. Work within intermittent streams shall be done under no flow conditions.
12. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. No equipment shall enter into surface waters.
15. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
17. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
18. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
19. Temporary cofferdams shall be entirely removed immediately following construction.
20. The swale on lot 1-13-13 shall be constructed to replicate the intermittent stream channel destroyed by the project.
21. The construction of the swale on lot 1-13-13 shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
22. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the construction of the swale is constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
23. Proper headwalls shall be constructed within seven days of culvert installation.
24. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
26. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
27. Silt fencing must be removed once the area is stabilized.
28. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
29. A post-construction report documenting the status of the constructed stream jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
30. This permit is contingent upon the execution of a conservation easement on 65.2 acres as depicted on plans by Sanford Engineering and Surveying and Engineering dated September 16, 2005, and revised through April 22, 2008, as received April 29, 2008.
31. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
32. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
33. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
34. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
35. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
36. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill,

construction of structures, and storage of vehicles or hazardous materials is prohibited.

37. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i); projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The impacts are for access across wetlands to access large buildable upland areas.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided alternate plans that would be more impacting than the current proposal.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has provided a culvert that is open bottom and 1.2 times the bank full width on the large perennial stream.
7. The applicant has provided large concrete box culverts on many of the streams to minimize impacts.
8. The applicant has provided oversized culverts to eliminate the need for rip rap aprons minimizing impacts.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
10. DES Staff conducted a field inspection of the proposed project on December 14, 2006. Field inspection determined many of the drainage areas are indeed streams and two of these areas appear to flow perennially.
11. The applicant has provided 65.2 acres of conservation easement area with several streams flowing through it as mitigation for the impacts proposed by this subdivision.
12. The applicant has provided a letter of agreement from the Department of Resources and Economic Development stating their interest in holding this easement area.
13. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resources, as identified under RSA 482-A:1.

2007-00201 W/S DEVELOPMENT ASSOCIATES LLC
HUDSON Unnamed Wetland Merrimack River

Requested Action:

Request to withdraw the pending application for proposal to dredge and fill 294,494 sq. ft. of wetlands for the construction of a retail and residential complex on an existing golf course site.

WITHDRAW APPLICATION:

Application withdrawn for proposal to dredge and fill 294,494 sq. ft. of wetlands for the construction of a retail and residential complex on an existing golf course site.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The applicant requested to withdraw the pending application without prejudice due to redesign requirements for the proposed access road which will not be forthcoming. This would require DES to process an application that does not reflect the intent of the applicant.
3. DES has withdrawn the application without prejudice.

2007-01493 LEPPERT DEVELOPMENT CO
AUBURN Unnamed Wetland

Requested Action:

Dredge and fill a total of 24,300 sq. ft. of isolated palustrine forested/ scrub-shrub wetlands for the construction of a sports complex with appurtenant parking and storm water management/ drainage structures on a 14.26 acre parcel of land previously disturbed by gravel mining activities. The application was deemed eligible for payment into the Aquatic Resource Mitigation Fund as the form of compensatory mitigation. The deadline for the payment to be received by DES has lapsed.

Conservation Commission/Staff Comments:

No report or comments were received from the Auburn Conservation Commission.

Mitigation is in the form of an ARM fund payment.

Inspection Date: 11/07/2007 by Frank D Richardson

DENY PERMIT:

Deny the request to dredge and fill a total of 24,300 sq. ft. of isolated palustrine forested/ scrub-shrub wetlands for the construction of a sports complex with appurtenant parking and storm water management/ drainage structures on a 14.26 acre parcel of land previously disturbed by gravel mining activities.

With Findings:

Standards for Approval:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.03(c), as wetland impacts are greater than 20,000 square feet.
2. Pursuant to Env-Wt 302.03(b), "For all permanent impacts that will remain after avoidance and minimization measures have been addressed, the applicant shall submit a compensatory mitigation proposal in accordance with Chapter Env-Wt 800...".
3. Pursuant to Env-Wt 806.05(a), "...a project for which the department has notified the applicant of the acceptance of a proposed in-lieu payment as specified in Env-Wt 803.08(c), the department shall not issue the permit until the applicant has paid the full amount of the in-lieu fee payment as specified in the notice".
4. Pursuant to Env-Wt 806.05(b), "If the applicant does not pay the full amount of the in-lieu fee payment within 120 days of the date of the notice, the department shall deny the application".

Findings of Fact:

5. On June 29, 2007, DES received an application to impact 24,300 sq. ft. of palustrine forested/ scrub-shrub wetlands for the construction of a sports complex with appurtenant parking and storm water management/drainage structures on a 14.26 acre parcel of land.
6. On February 15, 2007 DES discussed with the agent that the in-lieu fee mitigation option would be an acceptable form of mitigation for the project, but that the payment to the Aquatic Resource Mitigation (ARM) Fund would need to be made within 120 days of the date of the approval letter.
7. On December 5, 2007 DES issued an approval notice for the proposed project which notified the applicant of acceptance of an ARM Fund payment. Condition #2 of the approval notice stated that, "This approval is contingent on receipt by DES of a one time payment of \$71,719.64 dollars to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days from the date of this approval letter (by May 5, 2008), or the application will be denied".
8. As of July 9, 2008, DES has not received the required ARM Fund payment.

Ruling in Support of Denial:

10. DES did not receive the ARM Fund payment within the required 120 days and therefore the application has been denied.

2007-02203 MILL POND VIEW LLC, C/O LARRY COSTA
NOTTINGHAM Nottingham Lake & Little River

Requested Action:

Dredge and fill a total of 20,090 sq. ft. of wetlands, surface waters and banks for reconstruction of the Nottingham Lake Dam, including 8,780 sq. ft. of impact to reconstruct earthen dam in same footprint as previous structure, including dam construction and rip rap at dam toe; 6,800 sq. ft. of impact to remove debris from flow path of downstream spillway and perform associated support

bank restoration; install 105 linear ft. (2,520 sq. ft.) of retaining wall in westerly downstream bank to tie dam reconstruction design into the replacement of the Mill Pond Rd. bridge wingwalls; place a total of 1,990 sq. ft. of temporary fill in 3 locations (950 sq. ft., 220 sq. ft., and 820 sq. ft.) for construction access.

Inspection Date: 04/10/2008 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 20,090 sq. ft. of wetlands, surface waters and banks for reconstruction of the Nottingham Lake Dam, including 8,780 sq. ft. of impact to reconstruct earthen dam in same footprint as previous structure, including dam construction and rip rap at dam toe; 6,800 sq. ft. of impact to remove debris from flow path of downstream spillway and perform associated support bank restoration; install 105 linear ft. (2,520 sq. ft.) of retaining wall in westerly downstream bank to tie dam reconstruction design into the replacement of the Mill Pond Rd. bridge wingwalls; place a total of 1,990 sq. ft. of temporary fill in 3 locations (950 sq. ft., 220 sq. ft., and 820 sq. ft.) for construction access.

With Conditions:

1. All work shall be in accordance with revised plans by DuBois & King dated 3/26/2008, received by DES on 5/12/2008, entitled "Mill Pond View LLC Nottingham Lake Dam, NHDES Wetlands Bureau Jurisdiction Impact Site Plan", Sheets 1-2; and per revised plans by DuBois & King dated 5/27/2008, as received by DES on 6/13/2008, entitled "Mill Pond View LLC Nottingham Lake Dam, Repairs and Reconstruction, May 2008" Sheets 1-12.
2. All work shall be in accordance with the DES Dam Bureau Permit as issued on 6/13/2008.
3. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.
4. All work shall be in accordance with conditions specified by NH Fish & Game Department comment letter dated 6/9/2008, including the following:
 - a. provide appropriate stabilization methodology to protect the streambanks down stream of the dam to prevent sediment from entering the Little River during construction and further undermining existing rip rap. Coordinate with the Town of Nottingham to assure that the reconstruction of the dam and the reconstruction of the adjacent bridge are coordinated such that exposed downstream banks are properly protected, and any gap between construction schedules does not result in further bank destabilization or water quality impacts;
 - b. coordinate with NHFG (contact Scott Decker 271-2491) and execute on NHFG's direction, placement of large or medium sized boulders in groups on the lake bottom prior to rewatering, as fish habitat and mitigation for impacts to American Eel habitat resulting from artificially impounded waters;
 - c. install a functional boom above the intake channel to the hydro facility to reduce debris entrainment. Coordinate with NHFG (contact Cheri Patterson 868-1095) to the satisfaction of NHFG on the use of finer grate systems, and light use, with respect to mitigating the effects of fish and eel entrainment;
 - d. stream flows should be maintained throughout the project construction and rewatering of the impoundment shall follow the commonly used guideline of storing 10% while releasing 90% of the inflow after the dam reconstruction is completed to assure downstream riverine habitat is maintained for fish and wildlife.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Silt fencing must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the

substructure work area from the surface waters.

13. Temporary cofferdams and temporary access impacts shall be entirely removed immediately following construction and appropriately restored.

14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. Proper headwalls shall be constructed within seven days of culvert installation.

19. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

20. Work shall be done during low flow.

21. Work in wetlands jurisdiction to be conducted to reconstruct the Mill Pond Road Bridge shall be applied for by the Town of Nottingham and shall be processed as a separate permit.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of non-tidal wetlands, banks, and surface waters in the aggregate, and per Env-Wt 303.02(i), impacts in excess of 200 linear ft. of perennial stream banks and channels.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Both the Nottingham Lake Dam (aka Mill Pond Dam), and the Mill Pond Road Bridge were lost during the April 2007 flooding events. Nottingham Lake has been completely drained, with only a small stream channel flowing through its center.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The project is confined to reconstruction in the same footprint of the dam and its stabilizing banks, and to construction of necessary infrastructure to appropriately tie the dam reconstruction into the replacement bridge design for the Mill Pond Road bridge.

4. The applicant has further mitigated for unavoidable impacts by agreeing to implement measures requested by NH Fish & Game Department ("NHFG") pursuant to that agency's comment letter dated 6/9/2008, including water quality and stream flow protections, habitat enhancement, and fisheries management practices at the dam. DES finds that these measures meet the requirements for Alternative Mitigation Proposals, pursuant to Env-Wt 803.06.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The applicant has coordinated with NH Fish & Game to address species of concern; there were no plant species of concern reported by the NH Heritage Bureau for the project vicinity.

6. The Town of Nottingham, per letter from the Town Administrator dated 3/24/2008, as received by DES on 3/27/2008, is in full agreement with the project, and has provided the 20' abutter sign off to work occurring adjacent to the Town's property (Mill Pond Road). The Town and applicant's respective engineering consultants have coordinated the engineering designs of both the dam reconstruction and bridge replacement projects to work together properly.

7. The Nottingham Conservation Commission supports the project, per letter dated 11/12/07, as received by DES on 11/28/2008.

8. The applicant has provided satisfactory proof of ownership through deed and plan documentation, per materials received from Attorney Tupper Kinder dated 3/27/2008, as received by DES on 3/31/2008, to demonstrate that all permanent work is to occur on lakebed that is owned by the applicant.

9. With respect to the ownership assertion of Terry Bonser relative to an area of temporary outlet pipe placement on the lake bottom, the materials submitted by the applicant through attorney Tupper Kinder dated 5/13/2008 refute this claim. Further, an Attorney General's Office opinion dated 9/28/2007 written to other residents of Nottingham Lake, states "With regard to the issues of ownership, neither the New Hampshire Department of Environmental Services, nor the Department of Justice has the jurisdictional authority to make final and binding determinations of title to real estate...In this case, the applicant has submitted a legal opinion in support of his application which constitutes sufficient evidence for purposes of a permitting decision to proceed with the permitting process". This opinion further states that RSA 498:5-a provides a means to pursue resolution of real estate ownership disputes through Superior Court as a separate action from the DES permit processes.

10. DES Staff conducted a field inspection of the proposed project on 4/10/2008. Field inspection found that the dam itself is

entirely gone, and the lake is largely drained, leaving previously waterfront homes adjacent to mud or minimal impoundment. The plans submitted replace the dam and associated bank damage in the same footprint using current-day design and technologies, and will be engineered to tie into the Town's Mill Pond Road bridge.

11. The DES Dam Bureau issued Permit No. 184.08, "Permit to Reconstruct DAM", for this project on 6/13/2008.

**2007-02275 CLEARWATER COVE ASSOCIATION, PETER DILELLA
GILFORD Lake Winnepesaukee**

Requested Action:

Dredge 58.1 cubic yards of sand from a 2150 sq ft docking area to maintain a 4 ft water depth, remove 7 linear ft of breakwater totaling a 127 sq ft area to improve navigation and add a seasonal personal watercraft lift on 297.6 ft of frontage in Gilford on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Gilford Con Comm releases "hold" and recommend approval per 10/4/07 letter rec'd to DES

Inspection Date: 12/06/2007 by Chris T Brison

APPROVE PERMIT:

Dredge 58.1 cubic yards of sand from a 2150 sq ft docking area to maintain a 4 ft water depth, remove 7 linear ft of breakwater totaling a 127 sq ft area to improve navigation and add a seasonal personal watercraft lift on 297.6 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with dredge plans by Watermark Marine Construction as received by DES on June 9, 2008.
2. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. All seasonal structures shall be removed from the lakebed for the non-boating season.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
6. Faulty equipment shall be repaired prior to entering jurisdictional areas.
7. The contractor shall have appropriate oil/diesel fuel spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
10. All activity associated with this project shall be conducted in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g) removal of more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on December 7, 2007, site inspection revealed that site is prone to

sand filling within boatslips.

6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

2007-02968 FLORIAN QUALIFIED PERSONAL RES TRUST, GLEN & GARY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Reset rocks to repair an existing 33 ft breakwater with a 4 ft x 38 ft cantilevered pier, stabilize 100 sq ft of the bank over an existing waterline, and dredge 500 sq ft of lakebed to provide access to an existing 23 ft 6 in x 31 ft dug-in boathouse on an average of 123 ft of frontage on Lake Winnepesaukee in Wolfeboro.

DENY PERMIT:

Reset rocks to repair an existing 33 ft breakwater with a 4 ft x 38 ft cantilevered pier, stabilize 100 sq ft of the bank over an existing waterline, and dredge 500 sq ft of lakebed to provide access to an existing 23 ft 6 in x 31 ft dug-in boathouse on an average of 123 ft of frontage on Lake Winnepesaukee in Wolfeboro.

With Findings:

Standards for Approval

1. In accordance with Rule Env-Wt 501.02, Additional Data, (a), (2), (i), if the topography is to be permanently altered, plans must show the existing and proposed topography.
2. In accordance with RSA 482-A:3, XIV, (b), any request for additional information shall specify that if the requested information is not received with 120 days of the request, the Department shall deny the application.

Findings of Fact

1. On December 21, 2007 the Department received an application for the repair of an existing breakwater, stabilization of the bank over an existing waterline, and dredge of the lakebed to provide access to an existing boathouse on property identified as Wolfeboro tax map 186, lot 17 (the Property).
2. On March 3, 2008, the Department issued a Request for More Information letter to the Applicant stating that plans showing post-dredging lakebed contours were required to complete the file. The letter stated that the plans must be submitted to the file before July 1, 2008, or the application would be denied.
3. On June 27, 2008 the Department received a response to the Request for More Information letter which included a revised existing conditions plan but did not include a plan showing the post-dredging contours as required.

Ruling in Support of the Decision

1. The Applicant failed to provide the proposed lakebed contours as required per Rule Env-Wt 501.02(a), (2), (i) and requested on March 3, 2008 and, therefore, the application is denied in accordance with RSA 482-A:3, XIV, (b).

2008-00449 SCARNEO, ARTHUR
WASHINGTON Highland Lake

Requested Action:

Replace a pre-existing permanent pier with a 6 ft x 50 ft seasonal pier and dredge 21.5 cu yd from 1,045 sq ft of lakebed on an

average of 500 ft on frontage on Highland Lake in Washington.

APPROVE PERMIT:

Replace a pre-existing permanent pier with a 6 ft x 50 ft seasonal pier and dredge 21.5 cu yd from 1,045 sq ft of lakebed on an average of 500 ft on frontage on Highland Lake in Washington.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. as revised June 9, 2008 and received by DES on June 12, 2008.
2. All dredged materials and portions on the pre-existing permanent pier shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to the installation of the new pier.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 50 ft from the shoreline at full lake elevation.
6. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. All activity related to this permit shall be conducted in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), dredge of more than 20 cu yd from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant proposes to replace the pre-existing, non-conforming permanent pier with a conforming seasonal pier.
4. In 1983 the Department authorized the dredge of 740 cu yd of material to access this docking site.
5. The proposal to lengthen the pier to 50 ft significantly reduces the amount of dredge necessary to access the docking site and as such the Applicant has demonstrated that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Highland Lake, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2007-00764 **NH DES, DAM BUREAU**
PITTSFIELD **Suncook River**

Requested Action:

Confirm Emergency Authorization issued on April 20, 2007, to rip rap 3000 square feet along 74 linear feet of the Suncook River

adjacent to the Pittsfield Mill Dam, that had failed.

CONFIRM EMERGENCY AUTHORIZATION:

Rip rap 3000 square feet along 74 linear feet of the Suncook River adjacent to the Pittsfield Mill Dam, that had failed.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minor impact project per Rule Env-Wt 303.03(l); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The project was necessary to support the downstream bank and existing downstream infrastructure.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on April 20, 2007.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
5. This is the same site as files 2006-2229 where the applicant attempted to stabilize this bank utilizing biostabilization measures.

2007-00909

MINAI, JOSEPH

HAMPTON FALLS Unnamed Wetland

Requested Action:

Owner request to permanently impact 815 square feet of wet meadow to retain a crossing containing two (2) 12-inch culverts for access to adjacent upland.

Conservation Commission/Staff Comments:

No comments were received from the Hampton Falls Conservation Commission.

Inspection Date: 05/24/2007 by Eben M Lewis

APPROVE AFTER THE FACT:

Impact a total of 5,133 square feet of palustrine wet meadow for the restoration of 4,318 square feet of unauthorized fill and permanently impact 815 square feet to retain a crossing containing two (2) 12-inch culverts for access to adjacent upland.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. All restoration activities shall be done in accordance with the Restoration Plan Approval issued by DES on July 10, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES personnel inspected the site on May 24, 2007 and noted the unauthorized impacts. DES recommended the restoration of the

impacts outside the scope of the crossing. Additionally, DES suggested submitting a Standard Dredge and Fill application to retain the crossing.

2007-01993 GOFFSTOWN, TOWN OF
GOFFSTOWN Richards Brook

Requested Action:

Proposed amendment to change the design of the previously approved culvert replacement due to the elevation of the existing gravity sewer main and construction concerns for the previously approved wingwalls. The previous approval was to impact approx. 580 sq. ft. of perennial stream to replace a damaged 2 ft. 4 in. x 3 ft. 5 in. granite box culvert and 5 ft. diameter RCP with a 6 ft. x 6 ft. pre-cast open bottom box culvert and associated pre-cast wing walls and footings. The proposed amendment is to impact approx. 885 sq. ft. of perennial stream to replace the existing damaged culvert with a 6 ft. span x 4 ft. high x 75 ft. run closed box culvert embedded with 1 ft. high fish baffles and 1 ft. of rounded stone cobbles to match the adjacent stream bed.

APPROVE AMENDMENT:

Impact approx. 885 sq. ft. of perennial stream to replace a damaged 2 ft. 4 in. x 3 ft. 5 in. granite box culvert and 5 ft. diameter RCP with a 6 ft. span x 4 ft. high x 75 ft. run closed box culvert embedded with 1 ft. high fish baffles and 1 ft. of rounded stone cobbles to match the adjacent stream bed.

With Conditions:

1. All work shall be in accordance with plans by the Town of Goffstown, as received by DES on August 20, 2007 and revised "Drainage Repairs and New Box Culvert" plan sheets 2, 3 and 4 revision dated June 24, 2008, as received by DES on June 25, 2008.
2. The water management plan notes and construction sequencing notes on the approved plans shall be strictly adhered to.
3. The culvert shall be embedded with natural streambed materials and shall not include angular rip-rap. The culvert inlet and outlet protection shall include a layer of natural rounded stone material that matches the elevation of the natural streambed.
4. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2007-01993 prior to construction.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
13. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial non-tidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and banks.
2. The proposed amendment is to change the design of the previously approved culvert replacement due to the elevation of the existing and failing gravity sewer main and construction concerns for the previously approved wingwalls.
3. This project involves less than 200 linear feet of new impacts to the streambed and channel.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The Piscataquog River Local Advisory Committee (PRLAC) reviewed this project at their September 17, 2007 meeting and have no objections to the project except that they urge strict adherence to the sedimentation controls called for.
8. DES has not received any new comments from the PRLAC regarding the proposed amendment.
9. DES requested that the applicant notify the PRLAC of the proposed changes.
10. The NH Natural Heritage Bureau (NHB) reviewed this project and commented that "although there was a NHB record present in the vicinity, we do not expect that it will be impacted by the proposed project."
11. The New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program (NHFG) has identified sensitive species, wood turtle, spotted turtle and brook floater in the vicinity of the proposed project.
12. NHFG has provided comments on the original design and requested stone placement in the bed of the stream and box culvert.
13. The applicant revised the project plans and agreed to follow NHFG's recommendations.
14. The NHFG is aware of the proposed amendment.

MINIMUM IMPACT PROJECT

2007-02665 SPEAR, JACQUELINE
NEW HAMPTON Unnamed Wetland

Requested Action:

Dredge and fill 2250 square feet including installation of a catch basin and culvert for access to two proposed single family lots.

APPROVE PERMIT:

Dredge and fill 2250 square feet including installation of a catch basin and culvert for access to two proposed single family lots.

With Conditions:

1. All work shall be in accordance with plans by TriTech Engineering dated December 18, 2007, as received by the Department on June 12, 2008 and Subdivision Plans by TriTech Engineering dated November 5, 2007, and revised through December 12, 2007, as received by the Department on December 21, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. If any additional work is proposed on the remaining land on this lot will be field delineated in accordance with Env-Wt 304.09(a).
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a drainage report supporting their claim that no water will be detained by the proposed crossing in a 25-year storm event.
6. The proposed crossing is proposed at existing grade this has been done to minimize impacts to the wetlands and to the abutting property owners.
7. The installation of a catch basin in this location will conduct water, the existing resource does not have any streams and the installation of the driveway at the existing grade should not inhibit wildlife passage.
8. The applicant has provided a letter from the abutter on tax map R-7, lot 38A, stating they have no objection to impacts within 20 feet of their property line in accordance with Env-Wt 304.04.
9. The applicant has provided a waiver request per Env-Wt 204.03, to waive the wetland delineation over the remaining lot as required by Env-Wt 304.09(a).
10. A Certified Wetland Scientist has reviewed a NRCS Soil Maps, USGS Topographical Maps, National Wetland Inventory Maps and has reviewed walked the site. The wetlands as sketched onto the site plan tilted Jacqueline Spear Job # 06151, USGS Overlay appear to be the only wetland resources on the site.
11. The applicant has had a Certified Wetland Scientist field delineate the area of the proposed residential subdivision.
12. It would be an economic hardship for the owner to have the entire 35 acre residual lot delineated in the field. There is also an existing residence on this lot.
13. If any additional work is to be conducted on the proposed residual lot an on site delineation will be required per condition #4 of this approval.
14. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.09(a).
15. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

2007-02815 PORTSMOUTH, CITY OF
PORTSMOUTH North Mill Pond

Requested Action:

Dredge and fill 1,600 sq. ft. in the developed upland tidal buffer zone and tidal wetland edge to construct a drainage outfall and associated headwall; install a stormwater treatment structure and associated culverts as part of municipal sewer improvement project.

APPROVE PERMIT:

Dredge and fill 1,600 sq. ft. in the developed upland tidal buffer zone and tidal wetland edge to construct a drainage outfall and associated headwall; install a stormwater treatment structure and associated culverts as part of municipal sewer improvement project.

With Conditions:

1. All work shall be in accordance with revised plans by Underwood Engineering dated 6/10/2008, as received by the Department on 6/13/2008.
2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
3. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work in the tidal resource shall be done during low tide.
11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project represents necessary and beneficial upgrades to the municipal sewer system.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The project is largely confined to developed upland tidal buffer zone in an urbanized area, and eliminates an existing CSO discharging into the North Mill Pond.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Heritage Bureau for the project location.
5. The Portsmouth Conservation Commission recommends approval of the project.

2008-00203 NH DEPT OF TRANSPORTATION
PORTSMOUTH Piscataqua River

Requested Action:

Rehabilitate Memorial Bridge including replacement of the lift span, repair bridge piers and fender system above the waterline and replace Scott Avenue bridge impacting 21,000 sq. ft. of previously disturbed tidal buffer zone and temporarily impacting 40 sq. ft. of intertidal river to install barge spud piles.

Conservation Commission/Staff Comments:

Cons. Comm. approves.

APPROVE PERMIT:

Rehabilitate Memorial Bridge including replacement of the lift span, repair bridge piers and fender system above the waterline and replace Scott Avenue bridge impacting 21,000 sq. ft. of previously disturbed tidal buffer zone and temporarily impacting 40 sq. ft. of intertidal river to install barge spud piles. NHDOT project #13678.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 10/07 (sheet 5 of 34) and General Plan Memorial Bridge / Scott Ave. Bridge by HNTB dated 01/28/08, both received by the Department on Feb. 11, 2008.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. There shall not be any work below the highest observable tideline with the exception of the 40 sq. ft. of temporary impacts for spud piles.

4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Construction equipment shall not be located within surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands, surface waters or tidal buffer zone without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. The manufactured stormwater treatment shall be inspected and maintained in accordance with the manufacturer's specifications by the owner.

With Findings:

1. The 21,000 sq. ft. impact area is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously-developed upland areas within 100 feet of the highest observable tideline.
2. The 40 sq. ft. of temporary impact in the intertidal river to place spud piles is deemed as a minimum impact project per Administrative Rule Env-Wt 303.04(o), as this is a very limited and temporary impact to stabilize a barge.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
7. The project will improve public safety.
8. Natural Resource Agency meetings were held at the NH Dept. of Transportation on September 21, 2005, May 16, 2007 and January 16, 2008 to coordinate the project.
9. Pollutant loadings to impaired surface waters are not expected to increase as a result of this project due to no significant change in the area of impervious surfaces combined with installation of a hydrodynamic separator to treat stormwater.

2008-00337 SOMERSWORTH, CITY OF
SOMERSWORTH Unnamed Stream

Requested Action:

Dredge and fill 195 sq. ft. of seasonal stream/roadside ditch to install an 18" x 60' culvert to manage drainage flow and prevent further undermining of city street by stormwater flooding.

APPROVE PERMIT:

Dredge and fill 195 sq. ft. of seasonal stream/roadside ditch to install an 18" x 60' culvert to manage drainage flow and prevent further undermining of city street by stormwater flooding.

With Conditions:

1. All work shall be in accordance with plans by the City of Somersworth dated 4/28/2008, as received by the Department on 4/29/2008.
2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
3. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The city street is being undermined at this location by substandard stormwater drainage management. Subsequent flooding is to be alleviated by this project.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Heritage Inventory for this location.
5. The Somersworth Conservation Commission did not report.

2008-00656 TIERNEY, BRIAN
LOUDON Unnamed Pond

Requested Action:

Dredge 1700 square feet of previously man made pond area to enlarge the pond for agricultural purposes.

APPROVE PERMIT:

Dredge 1700 square feet of previously man made pond area to enlarge the pond for agricultural purposes.

With Conditions:

1. All work shall be in accordance with plans by Brian Tierney dated June 2 , 2000, as received by the Department on June 2, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during drawdown.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. No equipment shall enter the water.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p); Construction of a pond with less than 20,000 sq. ft. of wetlands impact.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00927 LALLY, THOMAS
GOFFSTOWN Unnamed Wetland

Requested Action:

Dredge and fill 1250 sq. ft. of forested wetlands for construction of an access road to a proposed 8-lot residential subdivision. Work in wetlands consists of installation of a 24 in. x 40 ft. corrugated plastic culvert, associated stone headwalls inlet and outlet protection and filling and grading.

APPROVE PERMIT:

Dredge and fill 1250 sq. ft. of forested wetlands for construction of an access road to a proposed 8-lot residential subdivision. Work in wetlands consists of installation of a 24 in. x 40 ft. corrugated plastic culvert, associated stone headwalls inlet and outlet protection and filling and grading.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants, LLC sheet 1 of 2 revision dated July 2, 2008 and sheet 2 of 2 dated May 30, 2008, as received by DES on July 03, 2008.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Work shall be done during low flow.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

6. The deed which accompanies the sales transaction for each of the lots in the subdivision shall contain condition #5 of this approval.

7. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

10. Proper headwalls shall be constructed within seven days of culvert installation.

11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant is providing a bio-retention area that will detain and treat untreated stormwater that is currently flowing from a catch basin and man-made drainage ditch from the adjacent town road (Lesnyk Road) to a wetland on the site. Additionally, the applicant is providing bio-retention areas for stormwater runoff from the proposed subdivision/access road.

6. The proposed access road entrance location was required to meet site distance requirements of the Town.

FORESTRY NOTIFICATION

2008-01207 MCCULLOUGH, JILL
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 15, Lot# 2

2008-01208 STRAW JR, RICHARD
EPPING Unnamed Stream

COMPLETE NOTIFICATION:
Epping Tax Map 5, Lot# 1

2008-01209 IANNICCI TRUST, DAVID & FRANK
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:
Newport Tax Map 4, Lot# 2350

2008-01210 BLACKMAN, MELINDA
LOUDON Unnamed Stream

COMPLETE NOTIFICATION:

Loudon Tax Map 47, Lot# 7

**2008-01211 MESSER, PETER
SUTTON Unnamed Stream**

COMPLETE NOTIFICATION:

Sutton Tax Map 10, Lot# 777,044

**2008-01212 ALLEN, JOHN
PIERMONT Unnamed Stream**

COMPLETE NOTIFICATION:

Piermont Tax Map R4, Lot# 8

**2008-01213 KORPI, JOHN & SUSAN BEMIS
NEW IPSWICH Unnamed Stream**

COMPLETE NOTIFICATION:

New Ipswich Tax Map 10, Lot# 4 & 5

**2008-01214 WASSETT INVESTMENT FUND LLC, BERTHA & WALTER FAUVE
PLYMOUTH Unnamed Stream**

COMPLETE NOTIFICATION:

Plymouth Tax Map 228 & 229, Lot# 12 & 42

**2008-01215 FOREST FUTURES CORPORATION
LEMPSTER Unnamed Stream**

COMPLETE NOTIFICATION:

Lempster Tax Map 6, Lot# 81-192

**2008-01216 THE EMILIO FAMILY REVOC TRUST OF 1992
DANVILLE Unnamed Stream**

COMPLETE NOTIFICATION:

Danville Tax Map 1, Lot# 50

**2008-01217 GOUNDRY, ROBERT
RINDGE Unnamed Stream**

COMPLETE NOTIFICATION:

Rindge Tax Map 9, Lot# 16

2008-01218 WEAVER, EDWARD
WILMOT Unnamed Stream

COMPLETE NOTIFICATION:
Wilmot Tax Map 7, Lot# 34

2008-01256 COOMBS, JEFFERY & SHERRI
MOULTONBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Moultonboro Tax Map 402, 403, Lot# 3, 1

2008-01257 TUCKER, RICHARD & CATHERINE
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield Tax Map 416, Lot# 50

2008-01259 CARLSEN, SHIRLEY
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map R31, Lot# 29

EXPEDITED MINIMUM

2008-00932 WINKLER IRREVOC TRUST, FRANCIS
NEWFIELDS Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,850 sq. ft. of forested wetlands, including 360 sq. ft. of edge impact associated with grading and construction of a drainage swale; and 1,490 sq. ft. of impact to access and maintain a well location for a 4-lot subdivision.

APPROVE PERMIT:

Dredge and fill a total of 1,850 sq. ft. of forested wetlands, including 360 sq. ft. of edge impact associated with grading and construction of a drainage swale; and 1,490 sq. ft. of impact to access and maintain a well location for a 4-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by American Engineering Consultants Corp. dated 4/7/2008, as received by the Department on 6/4/2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the

Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fencing must be removed once the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Work shall be done during low flow.
18. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. No species of concern were reported for the property by the NH Heritage Bureau.
5. The Newfields Conservation Commission signed the expedited application.

GOLD DREDGE

2008-01273 LEBLANC, EDMUND
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2008-01220 LYNCH, DAN & BARBARA
LYME Post Pond

COMPLETE NOTIFICATION:
Lyme, NH Tax Map 408 Lot 15
Post Pond

2008-01252 JONES, MELODY
WAKEFIELD Balch Pond

COMPLETE NOTIFICATION:
Wakefield, NH Tax Map 79 Lot 21
Balch Pond

2008-01275 DUFFETT, STEVE & PAULETTE
BRADFORD Massasecum Lake

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN:
Bradford, NH Tax Map 22 Lot 8
Lake Massasecum

With Findings:
Based on information from Shoreland file 2007-2388 it showed that the frontage is approximately 65 feet, less than the 75 feet required for a Seasonal Dock Notification.

X-SHORELAND VARIANCE / WA

2008-00441 MERCER, LAURIE
STODDARD Highland Lake

Requested Action:
Expansion of an existing nonconforming primary structure within the primary bilding setback (the "Setback") on Carr Island in highland Lake in Stoddard.

Inspection Date: 05/27/2008 by Thomas Gilbert

APPROVE CSPA WAIVER:
Expansion of an existing nonconforming primary structure within the primary bilding setback (the "Setback") on Carr Island in highland Lake in Stoddard.

With Conditions:
1. All work shall be conducted in accordance with building plans and stormwater control plans titled "DES Waiver Application Drawing" dated March 15, 2008 and received by DES on June 17, 2008 and roof drainage and drywell details by Weller & Michal

Architects Inc. dated June 12, 2008 and received by DES on June 17, 2008.

2. This Waiver shall not be effective unless and until it has been recorded at the Cheshire County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
3. Neither the Owner nor any subsequent owner shall construct, expand, install or otherwise create any impervious surfaces within the Setback other than those shown on building plans and stormwater control plans titled "DES Waiver Application Drawing" dated March 15, 2008 and received by DES on June 17, 2008
4. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the Subject Property.
5. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
6. This waiver is contingent on review and approval of the project by the DES Subsurface Systems Bureau.
7. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other applicable requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.
12. DES and the town of Stoddard, pursuant to RSA 483-B:8, III, shall have the right to enforce the terms and conditions of this Waiver, including collection of their reasonable costs and attorneys' fees in bringing any such action.
13. The authorization provided herein is contingent upon compliance with all conditions specified. In the event any condition is violated, the State or town of Stoddard may seek appropriate relief, including but not limited to removal of the structure authorized by this waiver.

With Findings:

1. The existing structure, as identified on the town of Stoddard Lot 39, is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 22.2 ft from the reference line, has a ridgeline height of approximately 23 ft and a footprint of approximately 1,277 sq ft, providing approximately 1,340 sq ft of living space.
3. The proposed structure will be located approximately 34 ft from the reference line, have a ridgeline height of approximately 23 ft and a footprint of approximately 1,397 sq ft, providing approximately 1,675 sq ft of living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to install stormwater controls consisting of a gutter system to direct stormwater to a proposed infiltration bed.
6. The Applicant's proposal will increase the setback of the primary structure from the reference line by approximately 11.8 ft and includes stormwater controls.

Page 2 of 3

7. Based on this information, the Department has determined that the Applicant's proposal is more nearly conforming with RSA 483-B, the CSPA, and provides at least the same degree of protection to the public waters, and, therefore, meets the requirements of RSA 483-B:11, II to be eligible for a waiver.

ROADWAY MAINTENANCE NOTIF

2008-01236 **NH DEPT OF TRANSPORTATION**
FREEDOM **Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 15" X 50 ft CMP with 18" X 50 ft CMP

2008-01237 **NH DEPT OF TRANSPORTATION**
MILAN **Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 18" culvert, same size and location using BMP #7 & #8

2008-01240 **NH DEPT OF TRANSPORTATION**
BROOKFIELD **Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 36" X 80 ft. CMP in kind and replace inlet end header

2008-01241 **NH DEPT OF TRANSPORTATION**
MARLOW **Unnamed Stream**

COMPLETE NOTIFICATION:

Replace existing 36" X 40' culvert with 36" X 60'

2008-01243 **G & M COOPERATIVE INC**
HOOKSETT **Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 2 - 36" CMP in kind with 2 - 36" CMP and new headwalls

2008-01276 **AMHERST, TOWN OF**
AMHERST **Unnamed Stream**

COMPLETE NOTIFICATION:

Replace culverts

PERMIT BY NOTIFICATION

2008-01087 **KEENE DPW, CITY OF**
KEENE **Unnamed Wetland**

Requested Action:

Proposal to repair and replace an existing and failing 15 in. x 38 ft. CMP culvert with a 15 in. x 38 ft. HDPE culvert.

PBN IS COMPLETE:

PBN complete to repair and replace an existing and failing 15 in. x 38 ft. CMP culvert with a 15 in. x 38 ft. HDPE culvert.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet and Env-Wt 506.01 (7) The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x).

2008-01117 LEWISON REVOC TRUST, VIRGINIA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair or replace existing docking facility.

PBN IS COMPLETE:

Repair or replace existing docking facility.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-01225 PSNH
DURHAM Unnamed Wetland

Requested Action:

Temporarily impact 1,200 sq. ft. to install mats in wetlands for vehicle access to utility line for maintenance activities.

Conservation Commission/Staff Comments:

Durham Conservation Commission signed PBN.

PBN IS COMPLETE:

Temporarily impact 1,200 sq. ft. to install mats in wetlands for vehicle access to utility line for maintenance activities.

2008-01226 ELLSWORTH, RUSSELL
SUTTON Blaisdell Lake

Requested Action:

Repair/replace existing boathouse in-kind.

PBN IS COMPLETE:

Repair/replace existing boathouse in-kind.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-01247 BENNETT, PHILIP MARTIN
MOULTONBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill 320 square feet of wetlands for the installation of a 16-inch x 32 foot culvert for access to a proposed single family residence and installation of residential utility line.

PBN IS COMPLETE:

Dredge and fill 320 square feet of wetlands for the installation of a 16-inch x 32 foot culvert for access to a proposed single family residence and installation of residential utility line.

2008-01260 HILLESHEIM, MITCHELL
NEW DURHAM Merrymeeting Lake

Requested Action:

Remove existing seasonal dock and install a 7 ft x 3 ft concrete pad and install a 6 ft x 40 ft seasonal dock on 101.5 ft of frontage in New Durham on Merrymeeting Lake.

PBN IS COMPLETE:

Remove existing seasonal dock and install a 7 ft x 3 ft concrete pad and install a 6 ft x 40 ft seasonal dock on 101.5 ft of frontage in New Durham on Merrymeeting Lake.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ab) installation of a concrete anchoring pad.